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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/482,263 | 01/13/2000 | Gunter Halmschlager | P18720 | 6753 |

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EXAMINER

HUG, ERIC J

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

1731

DATE MAILED: 08/29/2002

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/482,263

Applicant(s)

HALMSCHLAGER ET AL.

Examiner

Eric Hug

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-37 and 39-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-24 and 39-44 is/are allowed.
- 6) ☒ Claim(s) 1-13, 15 and 25-36 is/are rejected.
- 7) ☒ Claim(s) 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Response to Amendment

The following is in response to the amendment filed on June 4, 2002.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 1-7, 12, 13, 15, 25-28, 30-32, and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Limbach et al (US 3,612,256). Limbach disclose an elastomer covered conveyor belt comprising a support of woven metallic cables. After weaving, the metallic fabric is coated with a resorcinal formaldehyde latex solution. The elastomer completely seals the woven support, therefore it is impermeable to fluids. Therefore with respect to claims 1 and 15, the belt comprises a plurality of long chain length supports (woven cables) of metal and a filler (elastomer) that completely fills the interstices of the woven support, making it impermeable to fluids. With respect to the other claims:

Claim 2: The claim is a statement of intended use and does not further limit the structure of the belt.

Claims 3, 4: The metal cables are made of brass plated steel. Brass is a high thermally conductive material based on a combination of bronze and stainless steel.

Claims 5, 6: The cables are made from twisted monofilaments of wires.

Claim 7: The cables (supports) are substantially circular in cross-section.

Claim 12: The cables vary in cross-sectional shape along their length, as can be seen at the weaving intersection points where they are flattened.

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Claim 13: The filling material is an elastomeric (plastic) compound.

The method of coating the belt is described in column 6, lines 11-29. The reference reads on the method claims as follows:

Claims 25-28, 36: The method comprises forming a woven support from metal cables, then dipping the woven support into the elastomeric (plastic) solution, filling the interstices of the support.

Claims 30-32: After covering the support with the elastomer (in liquid form), the belt is passed through a curing press to form the belt. Since the belt is shaped during this step, the press will provide a smooth surface and will remove a portion of the filler from the surface.

With respect to claim 1, the phrase, "for a material web producing machine" is a statement of intended use and does not limit the structure of the belt.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Limbach et al (US 3,612,256). Limbach discloses the elastomer covered metallic cable conveyor belt described above, but does not disclose using cables with square, rectangular, oval, or polygonal cross-sections. However, the shape of the cross-section is a matter of choice which a person of ordinary skill in the art would have found obvious absent persuasive evidence that the particular

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shape is significant. See *In re Dailey*, 357 F.2d 669, 149 USPQ 47 (CCPA 1966) (MPEP 2144.04).

3. Claims 29 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Limbach et al (US 3,612,256) in view of Ampulski et al (US 6,251,331) and Stigberg (US 5,196,092). Limbach discloses the elastomer covered metallic cable conveyor belt described above, but does not specifically disclose spraying the elastomeric coating onto the woven structure, nor specifically smoothing the surface by scraping or grinding. However, in processes of applying a resinous coating material to a woven belt, it is well known to apply the coating by spraying (see Ampulski, column 3, lines 31-36), and smoothing the surface by scraping (Ampulski, column 15, lines 28-32) or grinding (Stigberg, column 5, lines 27-44) to obtain a uniform thickness. Therefore, at the time of the invention, it would have been obvious to one skilled in the art to utilize well know processing techniques as taught by Ampulski and Stigberg in order to coat and form the belt of Limbach.

Allowable Subject Matter

Claim 37 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 16-24 and 39-44 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 37 is allowable, because the prior art does not disclose or suggest a process for producing a belt comprising a sheet of metallic chain-like supports and a filler material rendering the belt fluid impermeable, whereby the weaving density of the woven structure is adjustable based on a desired surface requirement. In prior art belts with a woven base, the elastomeric coating is typically applied so that the woven structure is unexposed at the surface, therefore the weaving density is not based on any desired surface requirement.

Claims 16-24 are allowed, because the prior art does not disclose or suggest a belt comprising a sheet of metallic chain-like supports, a filler material at least partially filling the interstices of the supports rendering the belt fluid impermeable, and beadlike protuberances at the peripheral edges.

Claims 39-41 and 44 are allowed, because the prior art does not disclose or suggest a sealing belt for a dryer in a web producing machine comprising a woven metal screen and a filler material at least partially filling the interstices of the screen rendering the belt fluid impermeable.

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Claims 42 and 43 are allowed, because the prior art does not disclose or suggest a process for producing a belt comprising a sheet of metal filaments and a filler that fills the interstices of the sheet whereby a portion of the filling is scraped from a surface of the filled sheet to expose the metal filaments.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

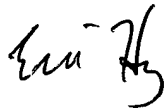
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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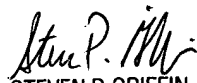
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 703 308-1980. The examiner can normally be reached on Monday through Friday, 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 703 308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305-7718 for regular communications and 703 305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0651.



jeh
August 26, 2002



STEVEN P. GRIFFIN
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